

REMARKS

Entry of this amendment and allowance are requested.

Initially it is noted that the Examiner has not acknowledged receipt of the applicants' GB priority filing. This should have been received from the EPO pursuant to applicants' PCT filing. The Examiner is requested to advise the applicants as to receipt of the priority document.

Non-elected claims 7-9 have been canceled without prejudice to possible divisional filing.

The subject matter of claim 6 has been added to claim 1 with claim 6 being canceled as redundant.

The Examiner is respectfully requested to reconsider the Section 112, 1st ¶ rejections in view of the present amendment to claim 1. Thus, the language "covalently attached group" objected to by the Examiner in the 2nd ¶, page 3 of the action has been deleted. Additionally, the reference to "modified version" has been changed to "glycosylated version". Basis for this change is found at page 5, lines 5-9 of the applicants' specification and in original claim 6. The Examiner has recognized that glycosylated proteins are enabled. See 4th ¶, page 3 of the action. Accordingly, the amendment of claim 1 should obviate the Examiner's enablement rejection and the description rejection as set out on page 3 of the action.

For improved clarity, the Examiner will also note that the reference to "the ice recrystallization inhibition properties" has been changed to "its ice recrystallization inhibition properties" in the amending of claim 1. The "the" was, in fact, not included in the clean copy of claim 1 as presented in the applicants' amendment of December 2, 2002 but included in the marked version. In any case, reference to "its" is thought to be preferable.

All outstanding issues having been dealt with, allowance is thought to be in order and is requested.

Respectfully submitted,

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APPENDIX
Version with Markings to Show Changes Made

IN THE CLAIMS

Claims 6, 7, 8 and 9 are being canceled without prejudice.

Claim 1 is amended as follows:

1. (Thrice Amended) A purified anti-freeze protein having an apparent molecular weight of from 20 to 28 kDa and having an N-terminal amino acid sequence which shows at least 80% overlap with:

A-P-A-W-M-D-A-E-S-F-G-A-I-A-H-G-G-L (SEQ ID NO: 1) and [modified] glycosylated versions of this protein[, wherein the modified version of the protein has a covalently attached group] which [does] do not affect [the] its ice recrystallization inhibition properties.